

REMARKS/ARGUMENTS

In the Office Action mailed December 11, 2008, claims 1-6, 8, 9, and 11-13 were rejected. Additionally, claims 10 and 14 were objected to, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. In response, Applicant hereby requests reconsideration of the application in view of the amendments and the below-provided remarks. No claims are canceled.

For reference, claims 1 and 10 are amended. In particular, claim 1 is amended to clarify that the dummy fill structures are insulated from the electrically active structures and the active electrically connected parts of the fill structures. This amendment is supported, for example, by the subject matter described at page 4, lines 30-33, of the specification of the present application. This amendment is also supported, for example, by the subject matter illustrated in Fig. 1, which shows the fill parts 42 and 62 as being insulated from the other fill parts 61 as well as the active structures 5 and 6.

Also, claim 10 is amended to rewrite the claim in independent form, including all of the subject matter recited in claims 1 and 8, from which claim 10 previously depended. This amendment is supported by the original language of the claims.

Allowable Subject Matter

Applicant appreciates the Examiner's review of the claims and determination that claims 10 and 14 recite allowable subject matter. In particular, the Office Action states that claims 10 and 14 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Applicant submits that claim 10 is amended to rewrite claim 10 in independent form, including all of the limitations of the base claim 1 and the intervening claim 8. Accordingly, Applicant respectfully submits that claim 10 recites allowable subject matter. Consequently, claims 12 and 14, which depend from claim 10, also recite allowable subject matter.

Additionally, while the Office Action provides a statement of reasons for the indication of allowable subject matter, the Office Action's statement is directed to specific aspects of certain claims and not necessarily all of the claims. Applicant notes that the Office Action's comments may have paraphrased the language of the claims and it should be understood that the language of the claims themselves set out the scope of the claims. Thus, it is noted that the claim language should be viewed in light of the exact language of the claim rather than any paraphrasing or implied limitations thereof.

Claim Rejections under 35 U.S.C. 103

Claims 1-6, 8, 9, and 11-13 were rejected under 35 U.S.C. 103(a) as being unpatentable over Lippmann et al. (U.S. Pat. Pub. No. 2003/0127709, hereinafter Lippmann) in view of Kash et al. (U.S. Pat. Pub. No. 2007/0030022, hereinafter Kash). However, Applicant respectfully submits that these claims are patentable over Lippmann and Kash for the reasons provided below.

Independent Claim 1

Claim 1 recites "wherein a majority of the fill structures generated are incorporated along a signal path so that active, electrically connected parts of the fill structures are situated next to dummy fill structures that are insulated from the electrically active structures and the active electrically connected parts of the fill structures" (emphasis added).

In contrast, the combination of cited references does not teach all of the limitations of the claim because the combination of cited references does not teach dummy fill structures that are insulated from the electrically active structures and the active fill structures, as recited in the claim. It should be noted that the Office Action acknowledges that Lippmann does not teach dummy fill structures that are insulated from active electrically connected parts of fill structures. Hence, the Office Action relies on Kash as purportedly teaching dummy fill structures that are insulated from active electrically connected parts of fill structures. However, Kash does not teach the indicated limitation, at least for the following reasons.

Although Kash specifically describes a dummy circuit 1610 (Fig. 17), the dummy circuit 1610 of Kash is not a dummy fill structure as recited in the claim because the dummy circuit 1610 of Kash is not insulated from electrically active parts of the electrical circuit shown in Fig. 17. Rather, the schematic illustration in Fig. 17 specifically shows the dummy circuit 1610 electrically coupled to a buffer 1608, an actual circuit 1602, a common input 1604, and a dummy output 1612. Since the dummy circuit 1610 of Kash is connected to other electrically active parts of the circuit shown in Fig. 17, the dummy circuit 1610 of Kash is not insulated from the other electrically active parts of the circuit. Therefore, Kash does not teach dummy fill structures that are insulated from the electrically active structure and the active fill structures.

For the reasons presented above, the combination of Lippmann and Kash does not teach all of the limitations of the claim because Kash does not teach dummy fill structures that are insulated from the electrically active structures and the active fill structures, as recited in the claim. Accordingly, Applicant respectfully asserts claim 1 is patentable over the combination of Lippmann and Kash because the combination of cited references does not teach all of the limitations of the claim.

Dependent Claims

Claims 2-6, 8, 9, and 11-14 depend from and incorporate all of the limitations of the corresponding independent claims 1 and 10. Applicant respectfully asserts claims 2-6, 8, 9, and 11-14 are allowable based on allowable base claims. Additionally, each of claims 2-6, 8, 9, and 11-14 may be allowable for further reasons.

CONCLUSION

Applicant respectfully requests reconsideration of the claims in view of the amendments and the remarks made herein. A notice of allowance is earnestly solicited.

At any time during the pendency of this application, please charge any fees required or credit any over payment to Deposit Account **50-4019** pursuant to 37 C.F.R. 1.25. Additionally, please charge any fees to Deposit Account **50-4019** under 37 C.F.R. 1.16, 1.17, 1.19, 1.20 and 1.21.

Respectfully submitted,

/mark a. wilson/

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Mark A. Wilson
Reg. No. 43,994

Wilson & Ham
PMB: 348
2530 Berryessa Road
San Jose, CA 95132
Phone: (925) 249-1300
Fax: (925) 249-0111